

**OKLAHOMA COMMISSION ON CHILDREN AND YOUTH  
OFFICE OF JUVENILE SYSTEM OVERSIGHT**

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**Report Release Date: 1/14/2016**

**Review of the Death of Tristan Tuff Grice  
of Okfuskee County, Oklahoma**

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**General Information**

The Office of Juvenile System Oversight (OJSO) received a request for a public report regarding the death of Tristan Tuff Grice.

**Authorization**

The following is a summary of the actions taken by the Oklahoma Department of Human Services (OKDHS); the dates and outcome of investigations and actions taken by the DHS; the actions taken by the district attorney; the dates and summary of judicial proceedings; and the rulings of the court, as authorized by 10A O.S. Section 1-6-105.

**Identifiers:**

Child's Name:	Tristan Tuff Grice	
Age at time of Incident:	Twenty-Two Months Old	
Date of Death:	November 13, 2013	
PRFC:	William Hunter Magness	
Siblings	Sibling 1	Eight-years-old
	Sibling 2	Six-years-old
	Sibling 3	Four-years-old
	Sibling 4	Two-years-old

The Oklahoma Commission on Children and Youth (OCCY) did not become aware of this case until after the death of Tristan Tuff Grice.

**Criminal Charges**

A charge of Murder in the First Degree-Child Abuse was filed in Okfuskee County District Court on January 13, 2015, against William Hunter Magness, the child's father and Person Responsible for the Child (PRFC).

## **Death Incident:**

A report was received by the Okfuskee County OKDHS on November 11, 2013. The report alleged that twenty-two-month old Tristan Tuff Grice was at a hospital in Tulsa. Tristan had originally been taken to a local hospital by ambulance from his father's home. The report stated he had a bruise under his chin, a scratch under his nose, a busted lip, a cut on the left side of his tongue, and a bruise on the left side of his chest. The child was also reported to have bruises on his knees, two bruises or puncture wounds on his penis, a knot on the back of his head on the right side, a large horseshoe bruise on the left side of his face around the ear, one eye was completely swollen shut, and the pupil in the other eye was completely dilated. The child was reported to be in critical condition.

The OKDHS accepted the report as a Priority I Investigation. The OKDHS documented that on November 11, 2013, the OKDHS received a Joint Response request by local law enforcement regarding a two year old child who had been brought to the local emergency room unresponsive. The OKDHS documented that Tristan Tuff Grice had multiple injuries to his face, head and penis. The child was diagnosed with a subdural hematoma and a "blown" pupil. Tristan had been in the care of his father, Hunter Magness, when the ambulance was dispatched to the home. Tristan Tuff Grice was transported to a hospital in Tulsa to the Pediatric Intensive Care Unit where he died November 13, 2013.

The OKDHS documented that the information gathered during the investigation showed that Tristan Grice was the biological child of Hunter Magness. Tristan lived with his mother along with three of his four siblings. Tristan visited Hunter Magness although there was no formal custody agreement. The OKDHS documented that Tristan had stayed in the care of Hunter Magness up to three weeks at a time in the past. Hunter picked Tristan up from his mother on November 8, 2013. Hunter also had his other child, Sibling 4, with him when he picked up Tristan. Hunter Magness reported that on Friday night he had kicked open the front door when he and the children got to his home and that the door hit Tristan causing the bruising on his face.

The OKDHS documented that Hunter Magness stated on November 11, 2013 that Tristan played in the house and then he gave him a bath. Magness stated thirty minutes to an hour after he put Tristan to bed the child woke up crying. The father said he picked him up and "put him down on his feet." Then saw he was lying in the floor. Hunter stated that the child was stiff and all tensed up with his arms straight like he was having a seizure.

Hunter stated that he tried to reach several relatives but they did not answer. The OKDHS documented that 911 was not contacted until at least 14 minutes after Hunter found his child lying in the floor. An ambulance transported Tristan to the local medical facility where he was transferred to a hospital in Tulsa where he was pronounced dead at 15:56 on November 13, 2013. The Medical Examiner's report documented the Probable Cause of Death as Blunt Force Injuries of Head with Acute Intracranial Hemorrhage. The Manner of Death was documented as Unknown. The report also

documented Other Significant Medical Conditions as Multiple Asynchronous Blunt Force Injuries.

The OKDHS made an overall finding of Substantiated. The three surviving siblings living in the home were removed and placed in emergency custody on December 2, 2013.

**Prior Involvement of the PRFC with the Department of Human Services**

There were no prior pertinent reports of involvement with the OKDHS.